

MONTGOMERY, McCRACKEN, WALKER & RHOADS, LLP
(A Limited Liability Partnership Formed in Pennsylvania)

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ATTORNEYS FOR DEFENDANT MICROSOFT CORPORATION

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
TRENTON VICINAGE

JAMES R. MALONEY, MARYLEE M.
MALONEY and CATHERINE SMITH,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

MICROSOFT CORPORATION,

Defendant.

CIVIL ACTION

No. 3:09-cv-02047

AET-LHG

CONSENT ORDER OF
DISMISSAL WITH PREJUDICE

THIS MATTER having come before the Court upon the agreement of James R. Maloney, Marylee M. Maloney, James P. Maloney, and Catherine Smith (collectively, "Plaintiffs") and defendant Microsoft Corporation ("Microsoft"); and

WHEREAS this Court entered an Order dated May 30, 2012 ("May 30 Order") dismissing the above-captioned case without costs and without prejudice to the right, upon good cause shown within 60 days, to reopen the action if settlement was not consummated; and

WHEREAS settlement in the above-captioned matter was consummated on or about June 26, 2012;

IT IS on this _____ day of July 2012 **ORDERED** that the Plaintiffs' claims in the above action are hereby dismissed with prejudice and this case shall be closed, subject to this Court's retention of jurisdiction for the purpose of enforcing the settlement.

APPROVED AND SO ORDERED

ANNE E. THOMPSON
United States District Judge

**WE AGREE TO THE FORM AND ENTRY
OF THE ABOVE CONSENT ORDER**

**MONTGOMERY, McCRACKEN, WALKER
& RHOADS, LLP**

LibertyView, 457 Haddonfield Road, 6th Floor
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Attorneys for defendant Microsoft Corporation

By: /s/ Kristen E. Polovoy

KRISTEN E. POLOVOY

Dated: July 12, 2012

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Attorneys for plaintiffs

By: /s/ Andrew R. Wolf
ANDREW R. WOLF

Dated: July 12 2012